

The Salisbury Planning Board held its regular meeting on Tuesday, July 23, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Jerry Wilkes, Sandy Reitz, Lou Manning, Elaine Stiller, Fred Dula, Eldridge Williams, Rodney Queen, Sean Reid, Brian Miller, Jeff Smith, Ken Mowery, Len Clark

ABSENT: None

STAFF: Harold Poole, Patrick Kennerly, David Phillips, Janice Hartis

The meeting was called to order by Chairman Dula. The minutes of July 9, 2002, were approved as published.

On a motion by Rodney Queen, seconded by Sandy Reitz, with all members voting AYE, the following two items on the agenda were delayed until a later date: zoning map amendment Z-13-02 601-70 Development Company, U. S. 70 near Jake Alexander Boulevard, and City Council referral on John Riley's request for a sign ordinance change.

GROUP DEVELOPMENT

G-14-01 Franklin Street Plaza, 510 East Franklin Street

An application has been submitted for the conversion of an empty former knitting mill into multiple warehouse units. A parking lot with 69 parking spaces is located across the street. The parking lot does not meet the landscape yard requirements around the perimeter of the lot nor does it meet the parking tree requirement. The developer feels that the parking lot is an existing lot and, therefore, does not need to meet the landscape requirements.

The following made comments on the request:

Daniel Almazan, 302 West Monroe Street – Currently the Rowan County school system is using the parking lot to house their trucks and as overflow storage. It is a gravel parking lot and has not been maintained very well over the years. The developer intends to leave it as a gravel parking lot and use it as an overflow parking lot for the proposed use across Franklin Street. Section 10.03 of the Zoning Ordinance states, "Provisions of this ordinance shall not apply to existing developed properties (prior to September 19, 1996) unless one of the following occurs: (1) An existing parking lot (paved or unpaved) is expanded or improved to add 12 or more spaces. (2) An existing principal structure is expanded by 25% or more." The developer is doing neither of these items. The developer is trying to use monies and the existing facilities as best he can and feels he falls within this exception.

Jeff Sowers, 117 Circle Drive – This is an existing structure, used for warehousing before, and used as warehouse space now. Basically, the only thing that has changed for this property is ownership. There will be changes made to the inside of the building, but the structure will not be expanded. The parking lot is existing and meets the zoning ordinance as far as the

parking requirements for the particular structure and use. The existing landscaping will be preserved. Doesn't see the benefit of removing the current landscaping and replacing it with new landscaping. Not sure why any landscaping would be required for this property because it doesn't meet the two criteria stated earlier.

Ann Corriher, 503 East Franklin Street – This property has deteriorated since the knitting mill closed. Vagrants have been living in the building. The residents are trying to build up the neighborhood. Thrilled to hear someone is fixing the building and cleaning up the area.

Board Discussion

Rodney Queen – A committee recently studied the Park Avenue area, and this area was included in the study. The committee recommended, and Council subsequently agreed, that the parking lot should be rezoned from residential to M-1 light industrial. One of the reasons for this recommendation was that if the vacant knitting mill and parking lot property changed hands and someone developed plans for the use of the property, all landscaping requirements would have to be met. That was the first positive step in making the change. Landscaping would be required to protect the neighborhood.

Senior Planner Harold Poole indicated that staff does not consider the site in question as an existing parking lot and, therefore, must meet all landscaping requirements. There is no organized fashion for parking vehicles and is not used as a parking lot at the present time. Prior to the rezoning to M-1, the lot was incorrectly used to park the school vehicles. With the rezoning, a parking lot is permitted.

Sean Reid – It would only be fair to the neighborhood to require landscaping. When this area was studied, the committee looked at this area as a potential parking lot with required landscaping. It would be going against the committee to recommend otherwise.

Sean Reid moved to recommend approving the site plan and to accept the Technical Review Committee's recommendation to meet all landscaping requirements. The motion was seconded by Lou Manning with all members voting AYE except Len Clark who voted NAY. The motion carried.

SPECIAL USE PERMIT

Jamil J. Isbanioly has submitted a request for a special use permit to establish a convenience store at the former retail business A Pleasant Nook, located at 1401 Bringle Ferry Road, in a B-CS Convenience Service Business district.

There were no comments either for or against the proposal from the audience.

Board Discussion

Lou Manning – The proposed convenience store is in close proximity to the Autumn Care nursing facility. Newsome Road runs beside Autumn Care, and that's a nice neighborhood. Most of these people will use Newsome Road to travel to Food Lion to get their groceries. Would hate to see a convenience store at this location, especially if they will be selling alcoholic beverages. There's a house directly behind the proposed store and one directly across the road.

Rodney Queen – The building looks like it was built for a convenience store years ago.

Sean Reid – This is a different situation from the special use permit request on Lincolnton Road which the Board turned down last month. There was no one at today's meeting to object to the proposed convenience store. Can't see any reason for denying the request.

Elaine Stiller – Unless we're going to make it a policy to deny every convenience store special use permit that's going to sell beer and wine, doesn't see how we can deny this request.

Ken Mowery moved to recommend approval of the special use permit. The motion was seconded by Sean Reid with all members voting AYE except Lou Manning who voted NAY. The motion carried.

COMMITTEE REPORTS

(a) Additional permitted uses in B-5 Central Business District – Elaine Stiller reported that the committee has completed their study for additional permitted uses in the B-5 district. The committee is recommending adding the following permitted uses in the B-5 district:

Bicycle sales and repair	Taxicab offices or stands
Dry cleaning and laundry establishments	Upholstery shops
Depots (or railroad stations)	Emporiums
Bus stations (or bus terminals)	Farmers markets (with restrictions)

The committee is also recommending that the maximum height for ground/monument signs in the B-5 district be changed from 20 feet to five feet.

Mrs. Stiller moved to accept the committee report and recommend approval of the above-mentioned text amendments. The motion was seconded by Jeff Smith with all members voting AYE.

(b) Sidewalks within bulbs in cul-de-sacs – Jeff Smith gave the committee report. About a year ago, the city began requiring a planted median in the bulb of cul-de-sacs with a right-angle curb, with the sidewalk against the back of the curb. This does not leave room for a mailbox due to everything being paved. City Engineer Dan Mikkelson met with the committee and presented sketches of several possible scenarios. The current ordinance states that a planting strip shall be installed between the roadway and the sidewalk, except around the bulb of cul-de-sacs where the sidewalk may abut the back of the curb. The committee decided that a three-foot planted strip between the back of the curb and the sidewalk would be appropriate. This would allow a place for mailboxes and is consistent with what is already in the ordinance. The committee recommends amending Section 5.02, Design Standards, of the Subdivision Ordinance, which shall read as follows: "Sidewalks shall be placed at the edge of the right-of-way. A planting strip shall have a minimum width of 3 feet and be installed between the roadway and the sidewalk." Mr. Smith moved to favorably recommend the text change. The motion was seconded by Rodney Queen with all members voting AYE.

CITY COUNCIL REFERRAL

Council referred to Planning Board a request made by John Riley, Central Carolina Insurance Agency, for a change in the sign ordinance to allow flashing signs which are now prohibited in Section 9.04(12). This matter was an agenda item for today's meeting, but Mr. Riley was called out of town and was not able to attend the meeting to explain his request. Brian

Miller suggested that a committee be assigned to start discussing the issue and invite Mr. Riley to attend the committee meeting so that the committee can have a recommendation ready for the next Planning Board as opposed to waiting until the next meeting to start the process. He then moved to refer this matter to a committee. The motion was seconded by Sandy Reitz with all members voting AYE except Jerry Wilkes and Sean Reid who voted NAY. The motion carried. Committee 2 (Smith, Queen, Reid, Wilkes) was assigned to study the matter.

REVISED ZONING CASE

Z-10A-02 Salisbury City Council, part of 400 block of Park Avenue and a part of the 300 block of North Shaver Street

When City Council held their public hearing on Z-10-02, Planning Board, Park Avenue – Phase 2, Council members discussed the possibility of including properties in the 400 block of Park Avenue and the 300 block of North Shaver Street for rezoning to R-6 Two Family Residential. They appointed a Council committee to look at these seven lots. A public hearing was scheduled for August 6 for the seven lots. Most of the lots have single family houses. There is at least one rooming/boarding house which is a permitted use in R-6A but would become nonconforming if rezoned to R-6. Lou Manning moved to recommend rezoning the seven lots from R-6A Multi-Family Residential to R-6 Two Family Residential. The motion was seconded by Jerry Wilkes, with all members voting AYE.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary